

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

| | | |
|----------------------------------|---|------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | 8:05CR356 |
| Plaintiff, |) | |
| |) | |
| vs. |) | ORDER |
| |) | |
| RICHARD L. SMULL, |) | |
| |) | |
| Defendant. |) | |

This matter is before the court on the motion of Beau G. Finley to withdraw as counsel for the defendant, Richard L. Smull (Smull)(Filing No. 10). Since retained counsel, James M. Davis, has entered an appearance for Smull (Filing No. 9), Beau Finley's motion to withdraw (Filing No. 10) is granted. Beau Finley shall forthwith provide James Davis with the discovery materials provided the defendant by the government and such other materials obtained by Beau Finley which are material to Smull's defense.

IT IS SO ORDERED.

DATED this 26th day of October, 2005.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge